

**RECEIVED
CENTRAL FAX CENTER**

PATENT**JUL 13 2005**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-050-E)
(Snap-on Invention No. NNT-02050)**

In re Application of:)	
)	
Michael Kapolka et al.)	Group Art Unit: 3661
Serial No.: 10/823,271)	Examiner: TBD
Filed: April 12, 2004)	
For: Vehicle Interactive System)	
Mail Stop: Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		RECEIVED
		JUL 26 2005
		OFFICE OF PETITIONS

PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM FOR PRIORITY

Dear Sir:

Pursuant to 35 U.S.C. §120 and under 37 C.F.R. § 1.78(a), the Applicants respectfully petition to accept an unintentionally delayed claim for priority to U.S. Patent Application Serial Numbers 10/091,096 and 09/640,785. The Applicants submit that the present application was filed on April 4, 2004 and properly claimed the benefit of U.S. Application Serial Number 10/358,637 ("637"). A preliminary amendment to the '637 Application was timely filed on June 27, 2003. The preliminary amendment included an amendment to the specification, which stated, in pertinent part:

"[t]his application claims the benefit of U.S. Provisional Application No. 601354,673, filed February 5, 2002, entitled Vehicle-Interactive System to Kapolka, et al., the disclosure of which is incorporated by reference in its entirety. This application is also continuation-in-part of commonly assigned, co-pending U.S. Patent Appln. No. 10/091,096, filed March 04, 2002 entitled "Remote Monitoring, Configuring and Reprogramming and Diagnostic System for Vehicles and Vehicle Components," to Kapolka et al, which is a continuation-in-part of commonly assigned, co-pending U.S.

Patent Appn. No. 09/640,785, filed August 18, 2000 entitled "System, Method and Computer Program Product for Remote Vehicle Diagnostics, Monitoring, Configuring and Reprogramming" to Bromley et al."

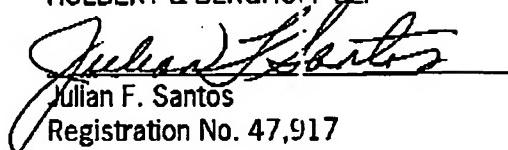
Consequently, the Applicants submit that the present application is entitled to the claim for priority to U.S. Patent Application Serial Numbers 10/091,096 and 09/640,785.

The Applicants submit that the preliminary amendment enclosed herewith provides the specific reference to the U.S. Patent Application Serial Numbers 10/091,096 and 09/640,785 as required by 35 U.S.C. §120 and 37 CFR §1.78(a). Moreover, the specific reference is submitted during the pendency of the present and '637 applications. Due to an unintentional delay, the amendment was not submitted within the later of four months from the actual filing date of the present application or sixteen months from the filing date of the '637 application. The entire delay in filing the claim for the benefit of prior filed application from the due date until the filing of a grantable petition under 1.78(a) was unintentional.

Also attached herewith are corrected copies of the patent application data sheet and filing receipt. The corrected filing receipt also includes a change to one of the names of the Applicants. Please charge the fee as set forth in section 1.17(t), of \$1,370.00 to our Deposit Account number 13-2490.

Respectfully submitted,

McDONNELL BOEHNEN
HULBERT & BERGHOFF LLP


Julian F. Santos
Registration No. 47,917

Date: July 13, 2005